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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,284	11/08/2001	Jan Folkesson	WAL-0006	8368

23413 7590 08/12/2003

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EXAMINER

WELCH, GARY L

ART UNIT	PAPER NUMBER
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3765

DATE MAILED: 08/12/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/018,284

Applicant(s)

FOLKESSON, JAN

Examiner

Gary L. Welch

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because it is not placed on a separate page. Correction is required. See MPEP § 608.01(b).
2. The disclosure is objected to because of the following informalities: It appears that the following change is required:

Page 5, line 7: Insert --10-- after "bar"

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nordin (WO 97/30606) in view of Townsend, Jr. (U.S. 4,292,689).

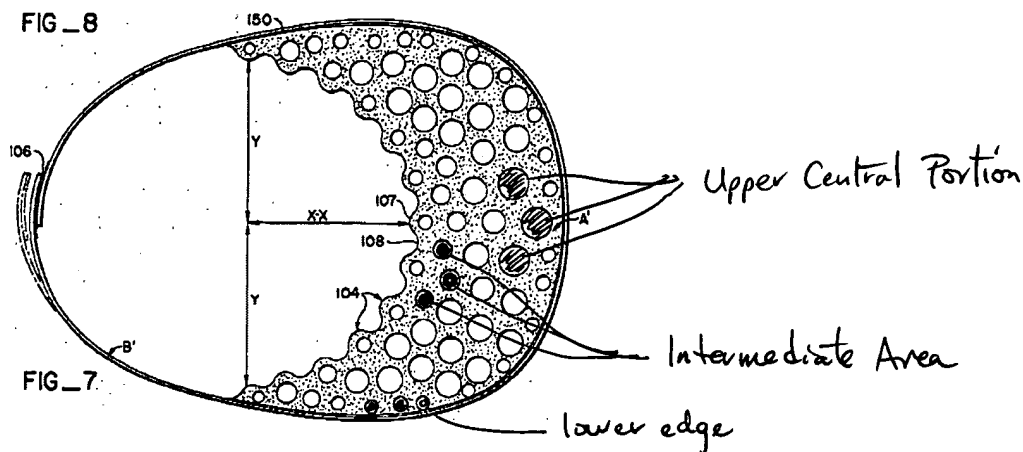
Nordin discloses a safety visor produced by etching metal. The visor has a grid 1 that defines a large number of light-permeating holes 5. The holes 5 are provided across the entire visor.

However, Nordin does not disclose that the holes have different areas, have different configurations and at least two zones have the same area of the holes within the zones and the areas of the holes are different in different zones.

Townsend, Jr. teaches a visor having holes (Figure 7) for providing unobstructed views, minimal wind resistance and air ventilation. The holes have different areas, have different configurations (Col. 7, lines 59-64), at least two zones have the same area of the holes within the zones and the areas of the holes are different in different zones (see Figure on next page). This configuration enables the wearer to have unobstructed views, minimal wind resistance due to air/wind encountered by the wearer to flow therethrough and ventilation to the wearer's head and face while simultaneously ensuring structural rigidity of the visor due to the placement of the different sized holes about the visor.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to configure the visor of Nordin having holes of different areas and configurations, at least two zones having the same area of the holes within the zones and where the areas of the holes are different in different zones as taught by Townsend, Jr. in order to provide a wearer with an unobstructed view, a visor having minimal wind resistance and ventilation to the wearer's head and face while simultaneously ensuring structural rigidity of the visor due to the placement of the different sized holes about the visor.

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With regard to claim 2, an upper central zone has greater light transmission than the remaining zones.

With regard to claim 3, the visor has an upper central zone and an intermediate zone located around the upper central zone and a lower edge located around the intermediate zone. Light transmission is greater in the upper central zone than in the intermediate central zone and light transmission in the intermediate zone is greater than in the edge zone.

With regard to claim 4, the holes 5 have the same center-to-center spacing in a lateral direction regardless of the location of the holes.

With regard to claim 5, the holes 5 have the same center-to-center spacing in a vertical direction regardless of the location of the holes.

With regard to claim 6, the holes are hexagonal (see Nordin) with two approximately parallel sides longer than the remaining sides. The parallel sides are directed in the vertical direction.

Conclusion

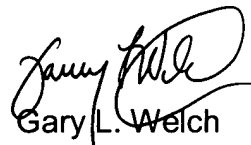
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Townsend '575 discloses a visor having light-permeating holes therein. Feldman '474 discloses a cap having a visor with light limiting material. Bannister et al. and Ridley disclose a cap having vents therein for reducing the air resistance of the visor. Allen teaches a headgear having a mesh material covering the wearer's face. Scott, Jr. '720 discloses a hat having a mesh with light permeating holes for allowing maximum overhead visibility. Palmaer '665 discloses a protective face visor made from a wire filament and shaped in a mesh orientation for allowing light to pass therethrough and having two parallel sides that is longer than the remaining sides. Smit et al. '860 disclose a hat having a mesh material for the crown and visor portion. De Giacomi '933 discloses a hat having a mesh visor.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary L. Welch whose telephone number is (703) 305-0451. The examiner can normally be reached on Mon-Fri 5:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John J. Calvert can be reached on (703) 305-1025. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.



Gary L. Welch
Primary Examiner
Art Unit 3765

glw
August 7, 2003